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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 XAVIERRE DMAWR ALLEN,  
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12 Petitioner,  
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14 v.  
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14 MICHAEL A. SMELOSKY,  
15 Warden,

16 Respondent.

Case No. EDCV 08-1782-JVS (OP)

ORDER ADOPTING FINDINGS,  
CONCLUSIONS, AND  
RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the  
18 records and files herein, and the Report and Recommendation of the United States  
19 Magistrate Judge, and the objections filed by Petitioner, de novo. The Court concurs  
20 with and adopts the findings, conclusions, and recommendations of the Magistrate  
21 Judge,

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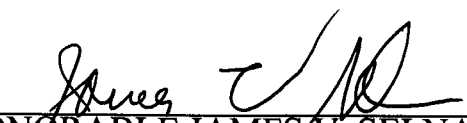
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1 IT IS ORDERED that Judgment be entered: (1) approving and adopting this  
2 Report and Recommendation; and (2) directing that Judgment be entered denying the  
3 Petition and dismissing this action with prejudice.

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5 DATED: 10.26.10

  
HONORABLE JAMES V. SELNA  
United States District Judge

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8 Prepared by:

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12 HONORABLE OSWALD PARADA  
United States Magistrate Judge